

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN PETEREC,

Plaintiff,

-against-

NOTICE OF MOTION

12-CV-3944 (CS)

NEW YORK STATE POLICE TROOPERS SCOTT D.
HILLIARD and JOHN VANLANINGHAM, in their
individual capacities, and the COUNTY OF ORANGE,

Defendants.

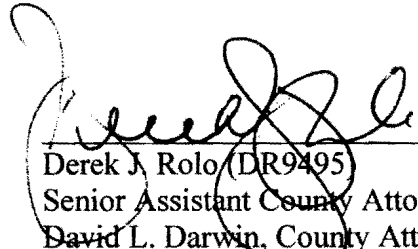
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PLEASE TAKE NOTICE, that upon the annexed Derek J. Rolo, Esq., sworn to the 17th day of January 2013, the exhibits annexed thereto, the accompanying Memorandum of Law, and upon all the prior pleadings and proceedings heretofore had herein, the undersigned, attorney for defendant, County of Orange (the "County"), by their attorney, David L. Darwin, County Attorney of Orange County, will move before the Honorable Cathy Seibel Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and time to be determined by the Court, for an Order:

- 1 Pursuant to Rule 12(b)(6) of the FRCP, dismissing plaintiff's complaint against the County in its entirety due to his failure to state a cause of action upon which relief may be granted; and
2. For such other and further relief as to this Court may deem just and proper.

Oral argument of this motion is not requested pursuant to Rule 2(D) of Judge Seibel's Rules of Individual Practice – plaintiff John Peterec is proceeding *pro se*.

Dated: Goshen, New York
February 7, 2013



Derek J. Rolo (DR9495)
Senior Assistant County Attorney for
~~David L. Darwin~~, County Attorney
for the County of Orange
Attorney for Defendant
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